

May 19, 2003

D.T.E. 03-39

### CAPE LIGHT COMPACT

Petition of Towns of Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Eastham, Edgartown, Falmouth, Harwich, Mashpee, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, Wellfleet, West Tisbury, Yarmouth, and the Counties of Barnstable and Dukes, acting together as the Cape Light Compact, for certification of its Energy Efficiency Plan for the calendar years 2003 through 2007, by the Department of Telecommunications and Energy, pursuant to G.L. c. 164, § 134(b).

---

### NOTICE OF FILING AND REQUEST FOR COMMENTS

On March 28, 2003, the Cape Light Compact ("Compact") filed with the Department of Telecommunications and Energy ("Department") its Energy Efficiency Plan ("EEP") covering calendar years 2003 through 2007. The Compact filed the EEP pursuant to G.L. c. 25, § 19, G.L. c. 25A, § 11G, G.L. c. 164, § 134(b), and Cape Light Compact, D.T.E. 00-47-C (2001). The EEP includes programs for residential, low-income, and commercial and industrial customers. The Company proposes budgets for these programs.

On April 11, 2003, the Commonwealth of Massachusetts, Division of Energy Resources ("DOER"), pursuant to G.L. c. 25A, § 11G and 225 C.M.R. § 11.04, filed a report on the EEP ("DOER Report") with the Department and the Compact. The Department must certify that the EEP is consistent with the Commonwealth's energy conservation goals and the Department's Guidelines for the Methods and Procedures for the Evaluation and Approval of Energy Efficiency Programs, D.T.E. 98-100 (1999).

A copy of the EEP and DOER Report are on file at the Department's offices, One South Station, Boston, Massachusetts for public view during business hours. Copies are also on file for public view at the Compact's offices, Superior Courthouse, 3195 Main Street, Barnstable, Massachusetts 02630. Any person desiring further information regarding the

Compact's filing and DOER Report should contact counsel for the Compact, Jeffrey M. Bernstein, Esq., at (617) 236-4090. Any person desiring further information regarding this notice should contact Kevin F. Penders, Hearing Officer, Department of Telecommunications and Energy, at (617) 305-3624.

Any persons wishing to submit written comments on the EEP and the DOER Report should file an original and four (4) copies of comments with Mary L. Cottrell, Secretary to the Department of Telecommunications and Energy, One South Station, Boston, Massachusetts, 02110, not later than the close of business (5:00 p.m.) on Monday, June 9, 2003. One copy must also be sent to Jeffrey M. Bernstein, Esq., Bernstein, Cushner & Kimmell, P.C., 585 Boylston Street, Suite 200, Boston, MA 02116.

In addition, please submit all comments to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dte.efiling@state.ma.us](mailto:dte.efiling@state.ma.us); or (2) on a 3.5" disk, IBM-compatible format. The text of the e-mail or the disk label must specify: (1) the docket number of the proceeding [D.T.E. 03-39]; (2) name of the person or company submitting the filing; and (3) a brief descriptive title of the document (e.g., Comments). The electronic filing should also include the name, title and phone number of a person to contact in the event of questions about the filing. Text responses should be written in either Word Perfect (naming the document with a ".wpd" suffix), in Microsoft Word (naming the document with a ".doc" suffix), or as an Adobe PDF file (naming the document with a ".pdf" suffix). Data or spreadsheet responses should be compatible with Microsoft Excel. All comments submitted in electronic format will be posted on the Department's web site: <http://www.mass.gov/dpu>.

## ORDER OF NOTICE

D.T.E. 03-39

May 19, 2003

### CAPE LIGHT COMPACT

Petition of Towns of Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Eastham, Edgartown, Falmouth, Harwich, Mashpee, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, Wellfleet, West Tisbury, Yarmouth, and the Counties of Barnstable and Dukes, acting together as the Cape Light Compact, for certification of its Energy Efficiency Plan for the calendar years 2003 through 2007, by the Department of Telecommunications and Energy, pursuant to G.L. c. 164, § 134(b).

---

The Petitioner is required to give notice of said request for comments by publication hereof once at least fourteen (14) days prior to the close of the comment period in the Boston Globe and the Cape Cod Times and to make return of service and publication, to include the original clippings of the newspaper publications, at the close of the comment period.

The Petitioner shall serve a copy of this Notice and Order, at least fourteen (14) days prior to the close of the comment period to: the Attorney General of the Commonwealth of Massachusetts; the Commonwealth of Massachusetts Division of Energy Resources; the Chairmen of the Boards of Selectmen, the Mayors, and the City Clerks in every municipality associated with the Petitioner; the service list in Cape Light Compact, D.T.E. 00-47-C (2001); and any person who has filed a request for notice with the Petitioner.

By Order of the Department,

/s/ Mary L. Cottrell

---

Mary L. Cottrell, Secretary